

Submitted April 28, 2010

Approved As of

Date April 28, 2010

MINUTES OF THE ROCKVILLE PLANNING COMMISSION
MEETING NO. Meeting No. 05-10
Wednesday, February 24, 2010

The City of Rockville Planning Commission convened in regular session in the Mayor and Council Chambers at 7:00 p.m., Wednesday, February 24, 2010.

PRESENT
David Hill, Chair
Steve Johnson
Kate Ostell
John Tyner II
Robin Wiener

Absent: Sarah Medearis
Tracy Pakulniewicz-Chidiac

Present: Bridget Newton, Council Liaison
Debra Y. Daniel, City Attorney
Marcy Waxman, Assistant City Attorney
Susan Swift, Director of CPDS
Jim Wasilak, Chief of Planning
Bobby Ray, Principal Planner
David Levy, Chief of Long Range Planning
Betsy Thompson, Superintendent of Recreation
Steve Mader, Superintendent of Parks & Facilities
Cas Chasten, Planner III
Jeremy Hurlbutt, Planner II
Cindy Kebba, Planner II
Rebecca Torma-Kim, Transportation Planner
Lexie McKenzie, Senior Citizen Program Manager
Nicole Walters, Planner I
Tyler Tansing, Commission Secretary

Commissioner Hill announced that there was concern that the staff report regarding Site Plan STP2010-00017, Judicial Center Annex was not released until the close of business last Friday

evening, which left three business days for the staff report to be exposed to the public. Commissioner Hill opened a discussion among the Commissioners as to whether they would choose to defer this application to another meeting.

After further discussion among the Commission, the Applicant and Harry Thomas with the Traffic and Transportation Commission, the Commission agreed to hear the presentation at the end of the meeting. Commissioner Tyner moved to hear the presentation and defer any final action to the Planning Commission's March 10, 2010 meeting and to keep the public record open until the meeting. Commissioner Wiener seconded the motion on a vote of 5-0 with Commissioners Medearis and Pakulniewicz-Chidiac being absent.

Commission Johnson suggested deferring this item until the end of the meeting. The Commission and staff agreed.

RECOMMENDATION TO BOARD OF APPEALS

Master Plan Compliance Determination for Special Exception SPX2010-00381, Shelter Development, LLC - for construction of a 90-unit assisted living facility at 9200 Darnestown Road, in the Detached Residential (Medium Density 2.5 to 4.0 Units per Acre) Land Use Category.

Mr. Wasilak announced that the staff report presented to the Commission this evening is the recommendation for compliance to the City's Master Plan and does not include the full staff report for the Board of Appeals.

Mr. Chasten presented an overview of the staff report.

The Commission inquired about other elderly facilities nearby, site history, and land use issues.

Andrew Teeters, Development Director for the applicant presented a brief background on the Shelter Development LLC and a slide presentation of Brightview of Rockville.

Commission questions included setbacks, height, stacking and a left hand turn lane. Ms. Regelin, Attorney representing the applicant explained.

The following citizens testified:

1. Jai Kim, 2989 Glenora Lane, expressed his concerns regarding the project as well as the applicant and City's notification process. He asked that the Commission defer this application to allow additional time for those who did not receive notification to review the application.

Commissioner Hill addressed Mr. Kim's concern about the notification process. Ms. Regelin explained the applicant's notification process and the areas where they sent the notifications.

2. John Duffie, 2280 Glenmore Terrace and President of Glenora Hills Citizens Association

addressed the Association's concern about the height of the building, which would be overwhelming to their houses in the neighborhood.

3. Audrey Rutkove, 2987 Glenora Lane, spoke about her concerns regarding the height of the proposed building and the parking on site.

4. Mary Richards, 2288 Glenmore Terrace, stated that she lives behind the proposed building and is very concerned about the height of the building.

5. Guy Hanacek, 2290 Glenmore Terrace, testified to his concern about the height.

6. Harry Thomas, 1121 Lewis Avenue, addressed his concerns regarding the type of facility being proposed, connecting sidewalks, and employees travelling to work by mass transit. He noted that Glenora Lane has never had a traffic light.

7. Hazel Cavallo, 2997 Glenora Lane noted her concerns regarding the traffic on the road. She stated that she feels the building is too high.

8. Rusty Richards, 2288 Glenmore Terrace, expressed his concerns regarding the height, footprint, density and traffic.

9. Jai Kim continued his testimony regarding the negative affects on the value of their homes.

Guy Hanacek, 2290 Glenmore Terrace, asked if Falls Grove residents were notified. He noted that there was never any representation from the City in the meetings hosted by the applicant.

Hazel Cavallo talked about studying the traffic pattern around the site.

Rebecca Torma, Transportation Planner discussed the traffic study.

Patricia Hanacek talked about the opposition of the neighbors. She asked if the application will have to go before the Board of Appeals. Commissioner Hill explained the process.

Andrew Teeters and Nancy Regelin explained the type of use; the height of the building; parking numbers; overflow parking; density; number of units proposed; relative height of building compared to residential; and, the height of mature trees on the site.

Ms. Regelin discussed the notification process.

Discussion continued regarding whether Falls Grove residents were notified; traffic; noise, whether the facility would provide a van for the senior residents; height; whether the use is consistent with the Master Plan, whether there is a need for this type of facility; and an APFO waiver.

Commissioner Tyner moved, seconded by Commissioner Wiener, to recommend to the Board of Appeals that Special Exception SPX2010-00381 is in compliance with the Master Plan, and

further to recommend that the Board pays close attention to community concerns and that the Board re-examine height and parking conditions. The motion passed on a vote of 5-0 with Commissioners Medearis and Pakulniewicz-Chidiac being absent.

REVIEW AND ACTION

Site Plan STP2010-00020, Department of Recreation and Parks - for construction of a 19,238 square foot Fleet Service building, relocation of fuel islands, and reconfiguration of parking lots at the City Maintenance Facility at 14625 Rothgeb Drive in the I-L Zone.

Mr. Hurlbutt presented the staff report.

Steve Mader presented the applicant's request.

Rick Kleponis, Architect, with Wheeler Goodman & Masek Architects described the design of the buildings.

Allen Barney, engineer with CPJ Engineers, discussed the stormwater management on the site.

Harry Thomas, 1121 Lewis Avenue, inquired whether there would be natural gas vehicles as well as an electric depot for this facility. Mr. Thomas asked if the car wash facility would also be improved. Mr. Mader explained.

Chris Baker, resident of Rockville, inquired about the operating costs of stormwater filter maintenance system and the life span of fuel tanks. Mr. Mader explained.

Commissioner Johnson moved, seconded by Commissioner Ostell to approve Site Plan STP2010-00020, Department of Recreation and Parks as submitted. The motion passed on a vote of 5-0 with Commissioners Medearis and Pakulniewicz-Chidiac being absent.

Site Plan STP2010-00028, Department of Recreation and Parks - for construction of a 6,070 square foot addition to the Rockville Senior Center at 1150 Carnation Drive in the Park Zone.

Mr. Wasilak explained that this project is the first Level 3 Site Plan reviewed by the Commission. Mr. Wasilak explained the process.

Commissioner Hill mentioned that the Commission has received a letter from Mr. Jim Reschovsky, President of Woodley Gardens Civic Association regarding this application.

Ms. Walters presented the staff report.

The following were discussed in response to questions: West Gude Drive as a second entrance to the Senior Center; cut-through traffic; City survey to all of the neighbors and senior center members on the web site and Rockville Reports regarding the entrance and parking issues with the Senior

Center; and the parking deferral request. Betsy Thompson, Superintendent of Recreation, explained. Mr. Wasilak explained the parking situation.

Commissioner Hill inquired whether the City could actually defer more of the parking? Ms. Walters replied that the City could defer additional parking spaces. Ms. Thompson also explained that they are happy with the number of parking spaces submitted to the Commission because the spaces are closer to the building and they would be non-intrusive. She noted that the new addition would not generate much more traffic or additional parking needs.

The Commission further questioned the permeable parking surface and the waiver of the front yard impervious surface requirements. Ms. Thompson explained.

Ms. Thompson presented the applicant's request.

In response to Commissioner Ostell regarding building a second story in lieu of expanding the building outward, Ms. Thompson explained.

Gary Lazader with SWSG Architects, explained the reason for why they did not consider adding a second floor in lieu of expanding out.

Questions from the Commission regarded the number of expansions planned in the future; any plans to move the facility; and permeable parking lot surfaces. Ms. Thompson explained.

Jeff Blass with CPJ Engineers addressed permeable parking spaces.

Commissioner Hill noted that one of the ideas from the Woodley Gardens Civic Association (WGCA) was pushing the parking to the north side of lot. Ms. Thompson addressed the idea.

Commissioner Hill questioned the applicant's omission of the construction access. Ms. Thompson explained that they would have to obtain an easement from the gas company, which would require additional ingress and egress from that side of Gude Drive. Ms. Thompson stated that they thought it would be a good idea in the beginning, but after discussing it, they felt that it was not a good idea. They felt that having a washout station for the trucks to be washed off and making sure the construction traffic was mitigated through the neighborhood would be acceptable for construction time. Further discussion ensued about the construction site.

1. Harry Thomas, 1121 Lewis Avenue, stated that he has a question of fire safety and he is in favor of the driveway going to West Gude Drive. Mr. Thomas explained his reasoning.

2. Jim Reschovsky, 1005 Aster Boulevard and President of WGCA, addressed the traffic situation in the community; consideration of a second entrance from West Gude Drive; that the Commission consider the expansion of the building as Phase 1 and mitigating adverse traffic effects on the community; the City's information gathered on traffic volumes at the intersections closest to the Senior Center; reducing the number of required parking spaces from 195 to 140; and deferring parking to one area on the site. Mr. Reschovsky expounded on the West Gude Drive entrance

situation.

The Commission further discussed parking spaces; heavy bus transit in the neighborhood; construction trucks; and fire access into the site.

3. Jen Jones, 800 Crocus Drive and treasurer of WGCA, stated that Mr. Reschovsky does not speak for all of the neighborhood. She stated that the neighborhood is full of children and she asked if the City has the money for this expansion. She further addressed construction trucks, Ride-on buses that are empty and that the community would like to get the traffic off the neighborhood streets.

4. Joe Dixon, 816 Aster Boulevard, spoke about houses close by that were burned in early 2000. He stressed that fire truck access is very important in this community and it would make sense to have an in and out entrance/exit from West Gude Drive; making the appropriate capital improvements; and that this expansion would draw more seniors, which would result in more traffic. Mr. Dixon stated that he would like to have the Gude Drive entrance.

The Commission further asked about the number of users who go to senior center. Lexi McKenzie replied that there are approximately 300 seniors who attend the classes and other sessions per day.

5. Paul Murray, 1044 Carnation Drive, talked about number of Senior Center users per day; the cost to operate the new facility; lack of true need; that the Planning Commission should request a long term plan for the Senior Center; that there are not enough funds to operate the center; and he is that fine with a Gude Drive entrance.

6. Paul Nagel, 17 Hawthorne Court, addressed the fire safety issue, additional traffic and traffic mitigation in the community with regard to the proposed addition to the Senior Center.

7. George Galasso, 636 Crocus Drive, stated that it is disappointing that no one is talking about the seniors and they are only asking for an expansion of the exercise facility. They do not anticipate that it would increase the use of it and the existing facility is dangerous. They are only looking to make the space larger. He said that there is very little traffic at any time of the day. A Gude Drive entrance is not a good idea because more parking spaces would have to be built and it would destroy more green space. The exercise facility is terribly important for the seniors and the expansion would provide a healthy and safe facility for the seniors to exercise.

8. Karen Bartlett, 814 Crocus Drive, talked about traffic issues on her street. Commissioner Johnson questioned where the cars came from. Ms. Bartlett explained.

9. Chris Baker, resident who lives at the corner of Crocus Drive and Azalea Drive, attested that there is a lot of traffic going up and down the street all day during the day. It is not as bad at night unless there are events. Mr. Baker said he opposed a Gude Drive entrance for it would become a cut-through and it would destroy his neighborhood. He noted that, before the City spends \$1.2M on a new facility, the other facilities should be upgraded and the interior of the Senior Center should

be renovated by providing additional exercise space and floor.

Paul Nagel stated that there are ambulances that travel to the Senior Center all of the time for people. He said that he understands that there will be a fitness coordinator at the Center to provide the right fitness schedules for the seniors.

The Commission provided information needs for staff to bring back regarding the proposed project - traffic problems; a temporary construction entrance; actual traffic counts done during peak hours; the count of users each day; traffic in the community when there is a major event; deferring parking spaces; finding a way to manage construction traffic; what is the Ride-on bus schedule in the area; the deferral of 86 parking spaces; impervious surface calculations; providing a Woodley Gardens traffic-wide mitigation plan and a Gude Drive access plan, a list of residents who might be using the Gude Drive entrance; and have a discussion with the City's Fire Marshal about the site. Ms. Torma explained the traffic counts for the area.

The Commission and staff discussed when this application would come before the Commission again in the future as well as including the Senior Center project on upcoming agendas for monitoring purposes.

Site Plan STP2010-00017, Montgomery County Department of General Services - for construction of a 166,000 square foot annex to the Montgomery County Judicial Center at 50 Maryland Avenue in the MXTD Zone.

Randy Hawkins with Montgomery County Department of General Services, presented the applicant's request and provided a power point presentation of the proposal.

Tom Donaghey, Architect for AECOM, presented the design and building materials landscaping, stormwater management, and the environment surrounding the proposed Addition.

Hamid Omidvar, representing the applicant, discussed some concerns regarding staff's conditions in the staff report.

The Commission discussed the following:

1. Improvement to the pedestrian walkway across Rt. 355 to the Metro Station as well as existing and future ground-level pedestrian access around the government center. Mr. Omidvar explained.
2. Has a traffic study been done for the intersection of Monroe Place and Church Street? Mr. Omidvar explained.

The following citizens testified:

1. Sally Stinner, South Washington Street, urged the Commission to reject the County's proposal because it is not consistent with Rockville's Town Center Master Plan. Ms. Stinner further explained why.

2. Harry Thomas, 1121 Lewis Avenue, testified that he is a member of the Traffic & Transportation Commission. He said that Traffic & Transportation prefers that the Commission deny the proposal, but, if it were to be denied, the County has the right to go into a Mandatory Referral and they could build whatever they wanted to build. Mr. Thomas further explained.

After further discussion, the Commission continued the hearing to its March 10, 2010 meeting.

Comments should be received in writing or by email before the next meeting.

Commissioner Hill stated that the Commission would also like to see reports or minutes from the Traffic & Transportation Commission as well as the Historic District Commission.

RECOMMENDATION TO MAYOR AND COUNCIL

Parks, Recreation and Open Space (PROS) Plan Draft - follow-up on recommendation to the Mayor and Council on the draft Plan.

Steve Mader, Superintendent of Parks & Facilities, discussed the Commission's list of recommendations with regard to the PROS Plan.

David Levy, Chief of Long-Range Planning, discussed the Commission's recommendations and Parks and Recreation's review of those recommendations.

Commissioner Hill stated that he submitted something in writing regarding the PROS Plan and read the document. Commissioner Hill further discussed language changes and the intent of the PROS Plan.

The Commission and staff further discussed the modifications of the recommendations in the PROS Plan before it went before the Mayor and Council.

The Commission and staff discussed fees and memberships for City facilities.

The Commission asked that the PROS Plan be modified and sent on to the Mayor and Council for review.

Commissioner Ostell moved, seconded by Commission Johnson, to recommend the Parks, Recreation and Open Space (PROS) Plan Draft to the Mayor and Council. The motion passed on a vote of 5-0 (Commissioners Medearis and Pakulniewicz-Chidiac were absent).

COMMISSION ITEMS

Chief of Planning Report

Mr. Wasilak stated that the Commission's next meeting is scheduled for March 10, 2010. He

noted that that is the night of the Sesquicentennial Ceremony and asked if the Commission would like to adjust its calendar. After further discussion, it was decided to begin the Commission meeting at 8:00 pm.

Old Business

Draft Rules of Procedure

The Commission discussed enacting the Draft Rules of Procedures.

Commissioner Tyner moved, seconded by Commissioner Johnson to approve the Rules of Procedures. The motion passed on a vote of 5-0 (Commissioners Medearis and Pakulniewicz-Chidiac were absent).

New Business

Commissioner Tyner noted that the County is going to have an open house regarding its draft zoning ordinance.

Commissioner Hill mentioned that the Mayor and Council will be meeting with the Mayor and Council of Gaithersburg on March 1 and the subject is the Gaithersburg West Plan. David Levy confirmed the date and stated that the meeting will be at City Hall and will begin at 6:30 pm.

Commissioner Tyner asked Mr. Levy to get the Commission copies of the Mayor and Council's letter regarding the Judicial Center.

Mr. Levy mentioned that the State of Maryland is starting up a State-wide process that they are calling "Plan Maryland" and they are doing a series of public forums to get input from people around the State. Mr. Levy further explained.

Minutes

Commissioner Tyner moved, seconded by Commissioner Wiener to approve the minutes of Meeting No. 1-2010 as amended. The motion passed on a vote of 4-0-1 with Commissioner Johnson abstaining. Commissioners Medearis and Pakulniewicz-Chidiac were absent.

FYI Correspondence

Commissioner Hill mentioned that he sent some communication issues of concern to the Communications Task Force and he said he has received no word as to whether they will be discussed.

ADJOURN

After further discussion, the meeting adjourned at 12:51 a.m.

Respectfully Submitted,

Tyler Tansing, Commission Secretary